



The following papers were received in the United States Patent and Trademark Office:

Applicant: Darrell James Shelton
Attorney: Mark S. Peloquin, Esq.
Title of Invention: **SUPPORT APPARATUS FOR A HUMAN AND METHOD OF USE**
Serial No.: 10/602,495
Filing Date: June 23, 2003
Docket No.: M5015.P001
Express Mail No.: **ER 163736324 US**
Mailing Date: July 06, 2005

- _____ (1) RCE Transmittal Form PTO/SB30 (1 page)
- _____ (1) Fee Transmittal Form PTO/SB17 (1 page)
- _____ (1) June 02, 2005 Telephonic Interview Summary (5 page)
- _____ (1) Preliminary Amendment (17 pages)
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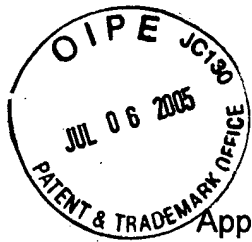
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Signature

July 06, 2005
Date

Appl. No. 10/602,495
Summary of Telephonic Interview Held on June 02, 2005
In Reply To Office Action, dated May 03, 2005
ER 163736324 US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/602,495
Attorney Docket No.: M5015.P001
Applicant : Darrell James Shelton
Filed : June 23, 2003
TC/A.U. : 3751
Examiner : Huynh, Khoa D
Confirmation No. : 2225

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TELEPHONIC INTERVIEW SUMMARY OF JUNE 02, 2005

Date of Interview: 06/02/2005
Form of Interview: Telephonic
Attendees: Mark S. Peloquin (Applicant's Attorney)
Khoa D. Huynh (Examiner)
Exhibits: None
Claims Discussed: Claims 1-74
Prior Art Discussed: Isbit (6256800), Wilk (5551098),
Tanaka et al. (5201080), Tsipov (5513396),
Anderson et al. (4764997), Jamison (485943)

Proposed Amendments:

Claim 45 (currently amended): A method comprising:

supporting a human on a support surface, wherein the support surface has a seat portion and a back portion; and

cleaning an anal region of the human by accessing the anal region, from behind the human and behind the back portion of the support surface, through an aperture in the support surface, wherein the aperture provides posterior access to the human and the aperture eliminates pressure on a portion of the human's buttocks between a left cheek and a right cheek.

Claim 46 (currently amended): A method comprising:

supporting a human on a support surface, wherein the support surface has a seat portion and a back portion; and

~~inspecting an area of the human selected from the group consisting of a lower spine~~ spinal region of the human's anatomy and an anal region by accessing, from behind the human and behind the back portion of the support surface, a posterior region of the human through an aperture in the support surface.

Arguments Presented to Examiner:

The art of record does not support a human as does Applicant's support surface. Applicant's support surface is for the mobility impaired human and provides support for a human's legs and trunk.

The art of record does not provide an aperture that permits access to the human's anatomy as does Applicant's aperture.

Other Matters Discussed:

The prosecution history was discussed, including the restriction requirement issued on October 1, 2004 and May 03, 2005.

Based on the proposed amendments to claims 45 and 46, as noted above, the Examiner maintains that a further search is needed following the removal of the restriction requirement issued on October 1, 2004 and May 03, 2005

Outcome of Interview:

1. Concerning the restriction requirement issued on October 01, 2004 and May 03, 2005, it was agreed that a request for continuing examination (RCE) will further the prosecution of the instant application. Accompanying the RCE, in a preliminary amendment, currently pending claims 45 and 46 would be amended to further define the support surface as follows: "wherein the support surface has a seat portion and a back portion," after which amendment to claims 45 and 46, the restriction requirement of October 1, 2004 and May 03, 2005 will be removed and the applicant would elect species IV for examination. Applicant will make a provisional election of species IV in the preliminary amendment filed with the RCE to expedite the examination.

2. With respect to originally presented claims 6, 15, 25, 35, and 42 these claims will be amended to remove the reference to "bench."

3. It was agreed that following amendment of claims 6, 15, 25, 35, and 42 to remove the reference to "bench" and removal of the restriction requirement following the amendment to claims 45 and 46 described in paragraph 2 above, all non-entered claims are readable on species IV and could be examined after species IV is elected by the applicant in the preliminary amendment that will accompany the RCE.

4. With respect to currently pending claim 45, the art of record was discussed and it was pointed out and mutually agreed that the art of record does not contain: an aperture in a support surface for a human that eliminates pressure on a portion of the human's buttocks between a left cheek and a right cheek of the buttocks and the aperture provides posterior access to the human from behind the human and from behind the back portion of the support surface.

5. With respect to currently pending claim 46, the art of record was discussed and it was pointed and mutually agreed that the art of record does not permit: supporting a human on a support surface, wherein the support surface has a seat portion and a back portion; and inspecting a lower spinal region of the human's anatomy by accessing, from behind the human and behind the back

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portion of the support surface, a posterior region of the human through an
aperture in the support surface.

Respectfully submitted,
PELOQUIN, PLLC

July 06, 2005
Date

Mark S. Peloquin, Esq.
Mark S. Peloquin, Esq.

USPTO Registration # 50,787

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Mark S. Peloquin, Esq.
(Signature of person mailing paper or fee)

July 06, 2005
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